THE HYDERABAD PATHOLOGY AND ANATOMY ACT, 1955.

No. X of 1955.

PREAMBLE.

Sections.

1. Short title, extent and commencement.

2. Definitions.

3. Power of State Govt. to authorise officers to act under Section 4.

4. Unclaimed dead bodies in hospitals, prisons and public places how to be dealt with.

5. Doubt or dispute as to near relative to be referred to the City Coroner or a City Magistrate or Magistrate of the first class.

6. Penalty.

7. Duty of police and other officers to assist.

8. Protection of persons acting under this Act.

9. Power to make rules.

Schedule.

*THE HYDERABAD PATHOLOGY AND ANATOMY ACT, 1955.

No. X of 1955.

An Act to provide for the supply of unclaimed bodies of deceased person to teaching medical institutions for the purposes, of pathology or anatomical examination and dissection.

Preamble.

WHEREAS it is expedient to provide for the supply of unclaimed bodies of deceased persons to teaching medical institutions for the purpose of pathological or anatomical examination and dissection;

BE it enacted in the Sixth Year of Our Republic as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Hyderabad Pathology and Anatomy Act, 1955.

(2) It extends to the whole of the State of Hyderabad.

(3) This section shall come into force at once.

(4) The State Government may, by notification in the official Gazette direct that the remaining provisions of this Act shall come into force on such date and in such area as may be specified in the notification.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context:—

(a) "authorised officer" means an officer authorised under section 3;

(b) "hospital" means any hospital established or maintained by the State Government, or by any Municipal Council, District Board or Panchayat and includes any other hospital which may be declared by the State Government, by notification in the official Gazette to be a hospital for the purpose of this Act;

(c) "near relative" means any of the following relatives of the deceased, namely a wife, husband, parent, son, daughter, brother or sister and includes any other person who is related to the deceased (i) by lineal consanguinity within three degrees or by collateral consanguinity within six degrees, or (ii) by marriage with any of the relatives aforesaid;

---

* Published in Gazette Extraordinary No. (120), dated 27th September, 1955.

Explanation.—The expressions "Lineal consanguinity" and "collateral consanguinity" shall have the meanings assigned to them in the Indian Succession Act, 1925, and degrees of relationship shall be computed in the manner laid down in that Act.

(d) "prescribed" means prescribed by rules made by the State Government under this Act;

(e) "teaching medical institution" means any of the institutions specified in the schedule to this Act and includes any other institution which may be declared by the State Government, by notification in the official Gazette to be a teaching medical institution for the purposes of this Act;

(f) "unclaimed body" means the body of a person who dies in a hospital, prison or public place, which has not been claimed by any of his near relatives within such time as may be prescribed.

Power of State Govt. to authorise officers to act under section 4.

3. (1) The State Government may by notification in the Official Gazette authorise for the area in which this Act comes into force or any part thereof, one or more officers to whom a report shall be made under section 4 and who shall be competent to act under the said section.

(2) Every officer authorised under sub-section (1) shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code.

Unclaimed dead bodies in hospitals, prisons and public places how to be dealt with.

4. (1) If a person dies in a hospital or in a prison and his body is not claimed by any of his near relatives within such time as may be prescribed, the authority in charge of such hospital or prison shall, with the least practicable delay, report the fact to the authorised officer, and the said officer shall take possession of the unclaimed body and except in the case referred to in sub-section (3), hand it over to the authority in-charge of a teaching medical institution, if it is required by that authority for the purpose of conducting pathological or anatomical examination and dissection.

(2) If a person dies in any public place in an area in which he had no permanent place of residence and the body of that person is not claimed by any of his near relatives within such time as may be prescribed the authorised officer shall take possession of the unclaimed body and except in the case referred to in sub-section (3) hand it over to the authority in-charge of a teaching medical institution, if it is required by that authority, for the purpose

specified in sub-section (1).

(3) When there is any doubt regarding the cause of death or when for any reason the authorised officer considers it expedient so to do shall forward the unclaimed body to a police officer referred to in section 174 of the Code of Criminal Procedure, 1898.

(4) Where any unclaimed body taken possession of by the authorised officer under this section is not required by the authority in charge of a teaching medical institution for the purpose specified in sub-section (1), it shall be disposed of in such manner as may be prescribed.

Doubt or dispute as to near relative to be referred to the City Coroner or a City Magistrate or Magistrate of the first class.

5. (1) If any doubt or dispute arises whether a person is or is not a near relative of the deceased for the purpose of section 4, the matter shall be referred to a Magistrate of the first class having jurisdiction and the decision of such Magistrate shall be final.

(2) Pending such decision, the body of the deceased person shall be preserved from decay in such manner as may be prescribed.

Penalty.

6. Whoever disposes of, or abets the disposal of, an unclaimed body save as provided by this Act, or obstructs any authority in-charge of a teaching medical institution or an authorised officer from handing over, taking possession of, removing or using, such dead body for the purpose specified in section 4, shall be punishable with the fine which may extend to five hundred rupees.

Duty of Police and other officers to assist.

7. All officers and servants of the Police, Medical and Public Health Departments, all officers and servants in the service of a local authority, and all village officers and servants shall be bound to take all reasonable measures to assist authorised officers in the discharge of their duties under this Act.

Protection of persons acting under this Act.

8. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act.

Power to make rule.

9. The State Government may, by notification in the official Gazette make rules for carrying out the purposes of this Act.

The Schedule.

1. Osmania Medical College.
2. Government Ayurvedic College.
3. The Government Unani College.